

# **EXHIBIT H**

Schedule 2,  
paragraph 5(2)

Form ML 2

## The Cross-Border Insolvency Regulations 2006

### Recognition order



Name of Debtor  
KINGATE GLOBAL FUND LIMITED  
(a company incorporated in the British Virgin Islands)

Company number *where applicable*

In the  
HIGH COURT OF JUSTICE  
CHANCERY DIVISION  
COMPANIES COURT  
(BEFORE REGISTRAR JAQUES)

*For court use only*  
Court case number  
No 8035 of 2010

(a) Insert full name(s) and  
address(es) for service of  
applicant(s)

UPON THE APPLICATION OF (a) (1) WILLIAM RICHARD TACON and (2) RICHARD EF  
FOGERTY (in their capacity as joint liquidators of Kingate Global Fund Limited) \_\_\_\_\_

(b) Insert date

presented to the court on (b) 4 October 2010 \_\_\_\_\_

(c) Insert full name and address  
for service of the debtor

in respect of (c) KINGATE GLOBAL FUND LIMITED, the address for service of which is  
Withers LLP, 16 Old Bailey, London, EC4M 7EG \_\_\_\_\_

and upon hearing counsel for the Applicants

(d) Insert details of any other  
parties (including the debtor)  
appearing and by whom  
represented

and for (d) \_\_\_\_\_

and upon reading the evidence

(e) Insert details of foreign  
proceeding

IT IS ORDERED that (e) the liquidation of Kingate Global Fund Limited ordered by the High  
Court of the British Virgin Islands by Order dated 4 June 2009 \_\_\_\_\_

\* Delete as applicable

be recognised as a foreign main proceeding/~~foreign non-main proceeding~~\* in accordance with the  
UNCITRAL Model Law on cross-border insolvency as set out in Schedule 1 to the Cross-Border  
Insolvency Regulations 2006

(f) Insert particulars of any  
further order made by the court

AND it is ordered that (f) paragraph 21(2)(b) of Schedule 2 to the Cross-Border Insolvency  
Regulations 2006 shall not apply. \_\_\_\_\_

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(g) Insert terms of order for costs AND it is ordered that the costs of the said application (g) be an expense of the liquidation ordered by the High Court of the British Virgin Islands (to the extent that the Companies Court has power so to order) \_\_\_\_\_

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(h) Insert date and time This order shall take effect from (h) 12 noon on Thursday 2 December 2010 \_\_\_\_\_

